

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHER DIVISION**

COTTON STATES MUTUAL
INSURANCE COMPANY,

Plaintiff,

v.

LEE A. SELLARS and
JASON ANDREW DONALD

Defendant.

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Civil Action No.: 2:07-cv-868

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**MOTION TO COMPEL
DEFENDANT JASON DONALD'S RESPONSES
TO INITIAL DISCLOSURES**


COME NOW Plaintiff, Cotton States Mutual Insurance Company, by and through undersigned counsel, and moves this Court for an Order compelling the Defendant Jason Andrew Donald to provide initial disclosures to the parties pursuant to Rule 26 of the Federal Rules of Civil Procedure and show in support of this motion as follows:

1. Counsel for Plaintiff and counsel for Defendant Lee Sellars conducted the Parties Planning Meeting pursuant to Federal Rule of Civil Procedure 26(f) on November 14, 2007. Despite several attempts, Plaintiff was unable to contact Defendant Jason Andrew Donald to obtain his participation in the meeting. The Report of Parties Planning Meeting provided that the parties would exchange initial disclosures, pursuant to Federal Rule of Civil Procedure 26(a)(1), by November 28, 2007.

2. Defendant Jason Donald has yet to make his disclosures as required by Rule 26 of the Federal Rules of Civil Procedure.

3. Counsel for Plaintiff has attempted by telephone and correspondence to obtain the said disclosures. (See correspondence, attached as Exhibit "A.")

WHEREFORE, Plaintiff requests this Court enter an Order compelling the Defendant, Jason Andrew Donald to file his Initial Disclosures pursuant to Rule 26 of the Federal Rules of Civil Procedure.




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CERTIFICATE OF SERVICE

I do hereby certify that I have on this the 4th day of February, 2008 electronically filed the foregoing Corporate Disclosure Statement with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following and that I hereby certify that I have mailed by placing a copy of same in the United States Mail, first-class postage prepaid and properly addressed to those non CM/ECF participants:

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January 22, 2008

Jason A. Donald
9655 Wilson Road
Elberta, Alabama 36530

RE: Cotton States v. Lee A. Sellers
Claim No: 001302000071100
A&R File No: 11913-10
Policy No: APA0831100

Dear Jason:

Pursuant to the Parties Planning Meeting which was conducted on November 14, 2007, it was agreed that Initial Disclosures would be made by November 28, 2007. We have yet to receive your Initial Disclosures which are required pursuant to Rule 26 of the Federal Rules of Civil Procedure. Please provide us with your Initial Disclosures within the next ten days so that we can avoid filing a Motion to Compel. We appreciate your consideration in this matter.

Very truly yours,

ADAMS and REESE, LLP


Billy Blanton

WPB/kas

cc: Jannea Rogers
Wayne A. Bolgla
William B. Sellars, Esq.

EXHIBITA